

Remarks

In the present response, eight claims (21, 22, 24, 29, 30, 31, 38, 45) are amended; and two claims (26, 43) are canceled.

I. Claim Rejections: 35 USC § 112

Claims 21-22 and 29-30 are rejected under 35 USC § 112, second paragraph, as being indefinite. These claims are amended, and Applicants respectfully request withdrawal of these rejections

II. Claim Rejections: 35 USC § 102(b)

Claims 16, 18, 20-25, 29-31, 36, 38, 41, 45, 47, and 49 are rejected under 35 USC § 102(b) as being anticipated by USPN 5,289,589 (Bingham). Applicants respectfully traverse this rejection.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Bingham neither teaches nor suggests each element in the claims, these claims are allowable over Bingham.

Claim 16

Claim 16 recites numerous recitations that are not taught or suggested in Bingham. By way of example, claim 16 recites “the first cable operating in a standby mode when the second cable is operating in an active mode.” The Office Action cites FIG. 5 of Bingham and the corresponding description. Applicants respectfully disagree. FIG. 5 of Bingham shows plural SCSI buses 51-58 connected to plural robotic pickers and plural optical disk drives. Nowhere, however, does Bingham teach or even suggest that a first SCSI bus is operated in a standby mode when a second SCSI bus is operated in an active mode. If the Office Action maintains this rejection, Applicants respectfully ask the Examiner to cite a location in Bingham that teaches or suggests this claim recitation. Applicants further respectfully argue that there can be no difference between the claimed invention and the cited reference, as viewed by a person of ordinary skill in the art.

Scripps Clinic & Research Foundation v. Genentech Inc., 927 F.2d 1565, 1576 (Fed. Cir. 1991).

For at least these reasons, independent claim 16 and its dependent claims are allowable over Bingham.

As another example, claim 16 recites first and second “cables.” The Office Action cites the SCSI lines of FIG. 5 in Bingham. A SCSI bus line is not a cable. According to MPEP § 2111.01, the words of a claim must be given their “plain meaning.” Applicants further acknowledge that claims must be given their broadest interpretation during patent examination. However, this interpretation must be a “**reasonable interpretation consistent with the specification**” (see MPEP 2111: emphasis added). Again, a SCSI bus is not a cable.

For at least these reasons, independent claim 16 and its dependent claims are allowable over Bingham.

Claim 24

Claim 24 is amended to include the recitations of claim 26 which includes allowable subject matter. Claim 26 is canceled.

Claim 31

Claim 31 recites numerous recitations that are not taught or suggested in Bingham. By way of example, the claim recites that the first and second cables are “movable with” the picker assembly. Bingham teaches a SCSI bus system in FIG. 5. The SCSI buses are not movable with the plunge assembly.

For at least these reasons, independent claim 31 and its dependent claims are allowable over Bingham.

As another example, claim 31 recites first and second “cables.” The Office Action cites the SCSI lines of FIG. 5 in Bingham. A SCSI bus line is not a cable. According to MPEP § 2111.01, the words of a claim must be given their “plain meaning.” Applicants further acknowledge that claims must be given their broadest interpretation during patent examination. However, this interpretation must be a “**reasonable interpretation**”

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As another example, claim 31 recites “the first cable operating in a standby mode when the second cable is operating in an active mode.” The Office Action cites FIG. 5 of Bingham and the corresponding description. Applicants respectfully disagree. FIG. 5 of Bingham shows plural SCSI buses 51-58 connected to plural robotic pickers and plural optical disk drives. Nowhere, however, does Bingham teach or even suggest that a first SCSI bus is operated in a standby mode when a second SCSI bus is operated in an active mode. If the Office Action maintains this rejection, Applicants respectfully ask the Examiner to cite a location in Bingham that teaches or suggests this claim recitation. Applicants further respectfully argue that there can be no difference between the claimed invention and the cited reference, as viewed by a person of ordinary skill in the art. Scripps Clinic & Research Foundation v. Genentech Inc., 927 F.2d 1565, 1576 (Fed. Cir. 1991).

For at least these reasons, independent claim 31 and its dependent claims are allowable over Bingham.

Claim 38

Claim 38 is amended to include the recitations of claim 43 which includes allowable subject matter. Claim 43 is canceled.

Claim 45

Claim 45 is amended to recite that the first and second cables are coupled to and “movable with” the picker assembly. Bingham teaches a SCSI bus system in FIG. 5. The SCSI buses are not movable with the plunge assembly.

For at least these reasons, independent claim 45 and its dependent claims are allowable over Bingham.

III. Allowable Subject Matter

Applicants thank the Examiner for allowing subject matter in this application. Applicants make a sincere effort to place this application in a condition for allowance.

CONCLUSION

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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